

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

IN THE MATTER OF THE APPLICATION
FOR A WARRANT AUTHORIZING THE
EXTENTION OF THE AUTHORIZATION
FOR THE MONITORING OF A
TRACKING DEVICE IN OR ON A GRAY
2016 LAND ROVER, NH REG. 446 4612,
REGISTERED TO KERMIT CEASAR

Case No. 21-mj- 150-01-AJ

Filed Under Seal

**AFFIDAVIT IN SUPPORT OF
AN APPLICATION FOR A SEARCH WARRANT**

I, Task Force Officer (TFO) Michael McGee, being first duly sworn, hereby depose and state as follows:

INTRODUCTION

1. I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and am empowered by law to conduct investigations of and to make arrests for offenses enumerated in Section 2516 of Title 18, United States Code. I also am a “federal law enforcement officer” within the meaning of Rule 41 of the Federal Rules of Criminal Procedure.

2. I make this affidavit, pursuant to Federal Rule of Criminal Procedure 41, and Title 18, United States Code, Section 3117, in support of an application for a search warrant authorizing the extended monitoring of a tracking device, for an additional forty-five (45) day period, on a 2016 gray Land Rover, New Hampshire Registration 446 4142, registered to Kermit Ceasar ("Target Vehicle"). I believe that the Target Vehicle is used by Kermit Ceasar in and around Manchester, New Hampshire to conduct drug transactions.

3. I am employed as a police officer with the Manchester, New Hampshire Police Department and have been so since July 2014. I am currently assigned to the Federal Bureau of Investigation's (FBI) New Hampshire Safe Streets Gang Task Force, which works to dismantle and disrupt criminal organizations and streets gangs in and around the state of New Hampshire. I have been assigned to this task force since March of 2021. Prior to joining the task force, I was assigned to Manchester Police Department's Anti-Crime Unit where I focused on the deterrence and apprehension of violent offenders with a special emphasis on criminal street gangs. I was assigned to the Anti-Crime Unit between November 2021 and March 2021. Prior to joining the Anti-Crime Unit, I was assigned to the Gang Prevention Unit where I strictly focused on criminal street gangs within the Manchester. My duties within the Gang Prevention Unit consisted of apprehension, deterrence, and intervention of individuals associated with criminal street gangs. I was assigned to the Gang Prevention Unit in June 2017.

4. During my employment as a police officer, I have successfully completed the Manchester Police In-House Academy as well as the New Hampshire Police Standards and Training Council Academy located in Concord, New Hampshire. I have received specialized investigatory training in numerous areas to include, gang investigations, drug investigations, criminal interdiction, and I am a certified Professional Gang Investigator by the East Coast Gang Investigators Association. I have responded to, investigated, or participated in the investigation of many crimes to include homicides, aggravated assaults, robberies, burglaries, thefts, and drug related crimes. I have a Bachelor of Arts in Criminal Justice from Saint Anselm College in Manchester, New Hampshire. In my current assignment I have tracked, interviewed, investigated, and otherwise spoken with several persons involved with gangs, violent crimes, and drug trafficking.

5. Based upon my training, experience, and involvement in prior investigations, I know that individuals who distribute narcotics often use motor vehicles to obtain quantities of controlled substances from their source of supply for distribution.¹ I also know that individuals who are engaged in the distribution of controlled substances use motor vehicles to transport controlled substances to various locations to meet with and distribute controlled substances to prospective purchasers. They also use motor vehicles to transport drug proceeds. Because individuals who are involved in the distribution of controlled substances are highly cognizant of the presence of law enforcement, and often engage in counter-surveillance maneuvers while traveling in a motor vehicle, it is frequently difficult for law enforcement to effectively conduct surveillance. The presence of a tracking device on a motor vehicle engaged in drug-related activity is beneficial because it allows law enforcement to track the movement of the vehicle effectively, while decreasing the chance of detection.

6. In preparing this affidavit, I have written reports and reviewed reports prepared by other investigators. In addition, I have discussed this investigation with other officers involved in the matter. Through my conversations with other officers and my analysis of reports prepared by other officers, I am familiar with all aspects of this investigation. The information contained in this affidavit is submitted for the sole purpose of supplying probable cause for the issuance of an order authorizing the government at any hour of the day or night to install, monitor, maintain, and remove a mobile tracking device, which transmits an electronic signal that can be used to detect the movement and location of the above described Target Vehicle, and make surreptitious entry into the vehicle at any hour of the day or night to maintain the mobile tracking device or

¹ Observations made and conclusions drawn throughout this affidavit that are based on my training and experience also include the training and experience of other law enforcement agents and officers with whom I have discussed these issues.

remove the mobile tracking device. While this affidavit contains all the material information I am aware of that is pertinent to the requested search warrant, it does not set forth all of my knowledge about this investigation.

6. Based on the facts set forth in this affidavit, there is probable cause to believe, and I do believe, that a violation of Title 21, United States Code, Section 841(a)(1) has been committed and will be committed by Kermit Ceasar. There is also probable cause to believe, and I do believe, that Kermit Ceasar uses the Target Vehicle in furtherance of his drug-trafficking activities. Accordingly, I believe that the continue monitoring of a tracking device on the Target Vehicle for another forty-five (45) day period will lead to evidence, fruits, and instrumentalities of the aforementioned crime.

PROBABLE CAUSE

7. On April 27, 2021, this Court issued a search warrant for the installation and monitoring of a GPS tracker of the Target Vehicle. That warrant authorized monitoring for 45 days. That authorization expires on June 18, 2021.

8. The tracker was installed on the Target Vehicle on May 4, 2021 at 3:17 am. The tracker has been useful in continuing the investigation of the drug dealing activities of Kermit Ceasar.

9. During the monitoring, the tracker was helpful in monitoring Cesear's travel to and from two crack cocaine transactions with a confidential informant which led to the successful purchase of six ounces of crack cocaine. The FBI used the tracker to monitor Ceasar's travel from his residence on Union Street in Manchester, New Hampshire to the deal locations. Ceasar is surveillance conscious which makes physical surveillance of him to and from deals difficult without the assistance of the tracker.

10. The investigation has also developed information suggesting that Ceasar has a drug supplier in New Bedford. The tracker has been useful insofar as it alerts the FBI when Ceasar travels to New Bedford, which he has done multiple times, and precisely where he goes when he arrives there. The tracker also allowed the FBI to determine where Ceasar goes in Manchester immediately after his trips to New Bedford, which suggests the location of a possible drug stash house.

11. Further, the tracker has permitted the FBI to determine that Ceasar travels frequently to a casino in Manchester where it appears that he meets up with drug customers. And finally, the tracker has allowed FBI to identify a storage location in Litchfield, New Hampshire used by Ceasar. The FBI has submitted an administrative subpoena to obtain information about Ceasar's rental of this storage unit. In short, the tracker has been helpful in executing specific controlled drug deals and to effectively monitor Ceasar's travel as it pertains to his drug-dealing activities.

**AUTHORIZATION REQUEST FOR THE
MONITORING AND MAINTENANCE OF THE TRACKING DEVICE**

12. I make this affidavit in support of an application for a search warrant authorizing the continued monitoring of a tracking device for a forty-five (45) day period, in or on the Target Vehicle.

13. In the event the Court grants this application, there will be periodic monitoring of the tracking devices during both daytime and nighttime hours for a period of forty-five (45) days. Because Ceasar may sometimes park the Target Vehicle on private property, it may be necessary to enter onto private property and/or move the Target Vehicle in order to effect the repair, replacement, and removal of the tracking device. The tracking device may produce signals from inside private garages or other such locations not open to the public or visual surveillance.

CONCLUSION

14. Based upon the facts set forth above, I respectfully request that the Court issue warrants authorizing members of the FBI or their authorized representatives, to continue monitoring the tracker device on the Target Vehicle for an additional 45 days from the date that this Court executes this warrant. I further request authorization during the 45-day period to move the Target Vehicle to effect the repair, replacement, and removal of the tracking device, including when the tracking device is inside a private garage or other location not open to the public or visual surveillance, both within and outside the District of New Hampshire.

I declare that the foregoing is true and correct.

/s/ Michael McGee _____
Michael McGee
TASK FORCE OFFICER
FBI

The affiant appeared before me by telephonic conference on this 8th day of June, 2021 pursuant to Fed. R. Crim. P. 4.1 and affirmed under oath the content of this affidavit and application

Andrea K. Johnstone

HON. ANDREA K. JOHNSTONE
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEW HAMPSHIRE

